PATENT COOPERATION TREATY

To:		•			PCT	
MARK S. (101	
EITAN, PE	EARL, LATZER	& COHEN Z	EDEK LLP			
	FELLER PLAZA	4			ITTEN OPINION OF THE	
SUITE 1001 NEW YORK, NY 10020				INTERNATIONAL SEARCHING AUTHORITY		
	•	•			(PCT Rule 43bis.1)	
				Date of mailing (day/month/year)	28 MAR 2005	
Applicant's	s or agent's file re	ference		FOR FURTHER	ACTION	
		·			See paragraph 2 below	
P-7562-PC Internation	al application No		International filing date	(day/month/year)	Priority date (day/month/year)	
	• •	•	Į.		12 January 2004 (12.01.2004)	
PCT/US05	/00884	cation (IPC)	12 January 2005 (12.01. or both national classificat	ion and IPC	12 3410417 200 4 (12.01.200 4)	
	51F 2/02; A61K 4	7/30 and US	Cl.: 424/426, 514/772.3			
Applicant			•			
UNIVERS	ITY OF PENNS	YLVANIA_				
						
1. This o	pinion contains is	ndications re	lating to the following iten	ıs:		
∇	· ·	Desir of the	- aminian			
	Box No. I	Basis of the	e opinion			
Box No. II Priority						
Box No. III Non-establishment of opinion with				gard to novelty, inve	ntive step and industrial applicability	
Box No. IV Lack of unity of invention					•	
to the state of industrial						
Box No. V Reasoned statement under Rule 43 bis. 1(a)(i) with regardless applicability; citations and explanations supporting su				ons supporting such s	tatement	
	Box No. VI	Certain do	cuments cited			
	Box No. VII	Certain de	fects in the international ap	plication		
			servations on the internation		·	
إلا	Box No. VIII	Certain ou	Servations on the internation	onu uppare		
2 FIIR	THER ACTIO	N				
If a d Interr	lemand for interrational Prelimin	national preli ary Examini		PEA has notified t	be considered to be a written opinion of the solution of the s	
IPEA of Fo	m PCT/ISA/220	or before the	e expiration of 22 months		PEA, the applicant is invited to submit to taxpiration of 3 months from the date of mailing, whichever expires later.	
For f	urther options, se	e Form PCT/	ISA/220.			
3. For f	urther details, see	notes to For	m PCT/ISA/220.			
				Analog to deep		
Name and	l mailing address	of the ISA/ U	JS	Authorized offic	7	
	Mail Stop PCT, At	tn: ISA/US	•	Carlos A. Azpu	ru ^y	
	Commissioner for P.O. Box 1450			}		
	Alexandria, Virgin			Telephone No.	703-308-1235	
	No. (703) 305-3				·	

Form PCT/ISA/237 (cover sheet) (January 2004)

International application No.
PCT/US05/00884

1. With a	egard to the language, this opinion has been established on the basis of the international application in the language in w led, unless otherwise indicated under this item.
	This opinion has been established on the basis of a translation from the original language into the following language which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With r	regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the ele ion, this opinion has been established on the basis of:
a.	type of material
	a sequence listing
	table(s) related to the sequence listing
b.	format of material
	in written format
	in computer readable form
c.	time of filing/furnishing
	contained in international application as filed.
	filed together with the international application in computer readable form.
	furnished subsequently to this Authority for the purposes of search.
	•
3.	In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been or furnished, the required statements that the information in the subsequent or additional copies is identical to that application as filed or does not go beyond the application as filed, as appropriate, were furnished.
	or furnished, the required statements that the information in the subsequent or additional copies is identical to that
	or furnished, the required statements that the information in the subsequent or additional copies is identical to that application as filed or does not go beyond the application as filed, as appropriate, were furnished.
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Form PCT/ISA/237(Box No. I) (January 2004)

International application No. . PCT/US05/00884

tatement			
Novelty (N)	Claims	14, 19, and 33	YE
	Claims	1-13, 15-18, 21-32, 34-44	NO
Inventive step (IS)	Claims	14, 19, and 33	YE
	Claims	1-13, 15-18, 21-32, 34-44	
Industrial applicability (IA)	Claims	1-44	YE
	Claims	NONE	NO

Claims 1-13, 15-18, 21-32, 34-44 lack novelty under PCT Article 33(2) as being anticipated by SIEGEL et al.

SIEGEL et al disclose an implant of polylactide-co-glycolide, one phase of which has slow release, the other having a faster release ([0024]. The implant is specifically indicated for treatment of psychotic disorders ([0021] & [0032]). Ratio of polylactide to polyglycolide is disclosed at [0023]. Percentage of drug is found at [0024]. The instant claims are anticipated by SIEGEL et al.

Claims 1-13, 15-18, 21-32, 34-44 lack an inventive step under PCT Article 33(3) as being obvious over SIEGEL et al.

SIEGEL et al disclose an implant of polylactide-co-glycolide, one phase of which has slow release, the other having a faster release [0024]. The implant is specifically indicated for treatment of psychotic disorders ([0021] & [0032]). Ratio of polylactide to polyglycolide is disclosed at [0023]. Percentage of drug is found at [0024]. The instant claims are anticipated by SIEGEL et al.

Claims 14, 19, and 33 meet the criteria set out in PCT Article 33(2)-(3), because the prior art does not teach or fairly suggest an implant of these specific dimensions or the serum level where treatment would be indicated.

Claims 1-44 meet the criteria set out in PCT Article 33(4), and thus have industrial applicability because the subject matter claimed can be made or used in industry as a treatment of psychotic diseases.

Form PCT/ISA/237 (Box No. V) (January 2004)

PATENT COOPERATION TREATY

	ONAL SEARCH				PCT	
To: MARK S. (COMEN				PCI	
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SUITE 100	1			א א זייי א זא פיבורותו	ONAL SEARCHING AUTHORITY	
NEW YOR	K, NY 10020			INTERNATIO	MAD SPUKCIHING VOILIGHT.	
					(PCT Rule 43bis.1)	
	·					
				Date of mailing	28 MAR 2005	
				(day/month/year) FOR FURTHER		
Applicant's	s or agent's file re	ference		FORFURTHER	See paragraph 2 below	
P-7562-PC						
Internation	al application No.	I	nternational filing date	(day/month/year)	Priority date (day/month/year)	
		l l	2 January 2005 (12.01.	2005)	12 January 2004 (12.01.2004)	
PCT/US05	/UU884	cation (IPC) or	both national classificat	ation and IPC		
		7/30 and US Cl	.: 424/426, 514/772.3			
Applicant						
INIVEDS	ITY OF PENNS	VI.VANIA				
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\square	Box No. I	Basis of the o	pinion			
Box No. 1 Basis of the opinion						
	Box No. II	Priority				
	Box No. III	Non-establish	ment of opinion with r	egard to novelty, inve	entive step and industrial applicability	
لــا	Box No. IV	Lack of unity				
\boxtimes	Box No. V	Reasoned sta applicability;	tement under Rule 43bi citations and explanati	is.1(a)(i) with regard to ons supporting such s	to novelty, inventive step or industrial statement	
	Box No. VI	Certain docu	ments cited			
		O-while defea	ts in the international a	nnlication		
ᆜ	Box No. VII					
	Box No. VIII	Certain obser	rvations on the internati	onal application		
	marinin A COTA	NAT.	•		•	
	THER ACTIO		oversination is m	ade this oninion wil	I be considered to be a written opinion of the sonot apply where the applicant chooses	
If a c	demand for intern	national prelimi	nary examination is in	except that this doe	is not apply where the applicant chooses the International Bureau under Rule 66.1 bis	
Auth	only ouldruiding a	f this Internatio	nal Searching Authorit	y will not be so consi	dered.	
75.4	ie aninian ie se r	rovided above.	considered to be a wi	ritten opinion of the	IPEA, the applicant is invited to submit to texpiration of 3 months from the date of mails	
of Fo	orm PCT/ISA/220	or before the e	xpiration of 22 months	from the priority date	e, whichever expires later.	
For f	further options, se	e Form PCT/IS	A/220.			
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2 Ear f	further details, sec	notes to Form	PCT/ISA/220.		•	
3. POT I	muiei detans, sec					
		64 104/110		Authorized offi	cer Daniel Shalim/	
Name and	d mailing address	or the ISA/ US		1		
1	Mail Stop PCT, At Commissioner for	m; 15A/U5 Patents		Carlos A. Azpı	יות "	
	P.O. Box 1450					
1	Alexandria, Virgin	ia 22313-1450		Telephone No.	703-308-1235	
	NT- (702) 205 2			1		

Form PCT/ISA/237 (cover sheet) (January 2004)

International application No.
PCT/US05/00884

 With regard to the language, this opinion has been established on the basis of the international application in the language in where was filed, unless otherwise indicated under this item. This opinion has been established on the basis of a translation from the original language into the following language which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)). With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claim invention, this opinion has been established on the basis of: type of material a sequence listing table(s) related to the sequence listing
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4. Additional comments:
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Form PCT/ISA/237(Box No. I) (January 2004)

International application No. . PCT/US05/00884

1. Statement		•	
Novelty (N)	Claims 14, 19, a	and 33	YES
	Claims 1-13, 15	-18, 21-32, 34-44	NO
Inventive step (IS)	Claims 14, 19, a	and 33	YES
•	Claims 1-13, 15	-18, 21-32, 34-44	NO
Industrial applicability (IA)	Claims 1-44		YES
	Claims NONE		N0

2. Citations and explanations:

Claims 1-13, 15-18, 21-32, 34-44 lack novelty under PCT Article 33(2) as being anticipated by SIEGEL et al.

SIEGEL et al disclose an implant of polylactide-co-glycolide, one phase of which has slow release, the other having a faster release ([0024]. The implant is specifically indicated for treatment of psychotic disorders ([0021] & [0032]). Ratio of polylactide to polyglycolide is disclosed at [0023]. Percentage of drug is found at [0024]. The instant claims are anticipated by SIEGEL et al.

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